

**INVESTMENT OPTIONS FOR PROPERTY RECOVERED IN A
SUIT BY A NEXT FRIEND OR GUARDIAN AD LITEM ON
BEHALF OF A MINOR OR INCAPACITATED PERSON**

CHAPTER 289

H.B. No. 1560

AN ACT

relating to investment options for property recovered in a suit by a next friend or guardian ad litem on behalf of a minor or incapacitated person.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 142.004(a), Property Code, is amended to read as follows:

(a) In a suit in which a minor or incapacitated person who has no legal guardian is represented by a next friend or an appointed guardian ad litem, any money recovered by the plaintiff, if not otherwise managed under this chapter, may be invested:

(1) by the next friend or guardian ad litem in:

(A) *a higher education savings plan established under Subchapter G, Chapter 54, Education Code, or a prepaid tuition program* ~~(the Texas tomorrow fund)~~ established under ~~[by]~~ Subchapter H [F], Chapter 54, Education Code; or

(B) interest-bearing time deposits in a financial institution doing business in this state and insured by the Federal Deposit Insurance Corporation; or

(2) by the clerk of the court, on written order of the court of proper jurisdiction, in:

(A) *a higher education savings plan established under Subchapter G, Chapter 54, Education Code, or a prepaid tuition program* ~~(the Texas tomorrow fund)~~ established under ~~[by]~~ Subchapter H [F], Chapter 54, Education Code;

(B) interest-bearing deposits in a financial institution doing business in this state and insured by the Federal Deposit Insurance Corporation;

(C) United States treasury bills;

(D) an eligible interlocal investment pool that meets the requirements of Sections 2256.016, 2256.017, and 2256.019, Government Code; or

(E) a no-load money market mutual fund, if the fund:

(i) is regulated by the Securities and Exchange Commission;

(ii) has a dollar weighted average stated maturity of 90 days or fewer; and

(iii) includes in its investment objectives the maintenance of a stable net asset value of \$1 for each share.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 139, Nays 0, 2 present, not voting;
passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 1, 2015.

Effective September 1, 2015.

**METHODS BY WHICH A POLITICAL SUBDIVISION MAY
SUBMIT CONTRIBUTIONS TO THE TEXAS EMERGENCY
SERVICES RETIREMENT SYSTEM**

CHAPTER 290

H.B. No. 1707

AN ACT

relating to the methods by which a political subdivision may submit contributions to the Texas Emergency Services Retirement System.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 865.014(c), Government Code, is amended to read as follows:

(c) Contributions required as provided by this section shall be paid at the times and in the manner that the state board prescribes by rule. Contributions required by this section shall be submitted by electronic funds transfer, *by wire transfer, or as an automated clearinghouse withdrawal (ACH debit)* unless the executive director grants an exception based on the difficulty of a participating department's use of *those [that]* payment methods ~~[method]~~. Contributions that are not paid within the time required by the state board accrue interest at the most recent assumed actuarial rate of return on investments of the fund.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 16, 2015: Yeas 146, Nays 0, 2 present, not voting;
passed by the Senate on May 20, 2015: Yeas 31, Nays 0.

Approved June 1, 2015.

Effective September 1, 2015.

COMPOSITION OF LOCAL BOARDS OF THE TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM

CHAPTER 291

H.B. No. 1725

AN ACT

relating to the composition of local boards of the Texas Emergency Services Retirement System.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 865.012, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A local board is composed of:

(1) one trustee selected by the governing body of the political subdivision of which a participating department is a part;

(2) *except as provided by Subsection (a-1)*, three trustees who are active members representing a participating department chosen by a majority of the emergency services personnel in the department who are eligible to participate in the pension system; and

(3) two trustees who are representatives of the political subdivision who are chosen by the other members of the local board.

(a-1) If a participating department does not have a sufficient number of active members to serve on a local board under Subsection (a)(2), the other members of the local board, or if there are no other members of the local board, the governing body of the political subdivision of which the department is a part shall select one or more trustees to serve under that subdivision. A person selected under this subsection to serve as a trustee must be:

(1) a retiree of the pension system; or

(2) a beneficiary of the pension system who is the surviving spouse of a former member or retiree.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas